

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

SANDRA J. COOK,
Plaintiff,

v.

CIVIL ACTION NO.2:10CV91

COMMISSIONER OF SOCIAL SECURITY,
Defendant.

ORDER/OPINION

On July 27, 2010, Plaintiff, *pro se*, filed a Complaint in this matter. On September 30, 2010, Defendant Commissioner of Social Security filed his Answer to the Complaint, along with a copy of the Transcript of the Administrative Proceedings in this matter. A review of the docket reveals Plaintiff has not filed a Motion for Summary Judgment and Brief in Support. Plaintiff is directed to Local Rule of General Procedure 83.12(b), which provides:

Within thirty days after the defendant has filed an answer and a complete copy of the administrative record, the plaintiff shall file a brief in support of his or her claim(s) for relief. The plaintiff shall serve copies of his or her brief upon the United States Attorney's Office.

Because Plaintiff is proceeding *pro se*, the Court will not recommend dismissal at this time. Instead, it is **ORDERED** that:

Plaintiff shall file with the Court and serve on Defendant her motion and brief in support of her claims on or before December 15, 2010. Failure to do so will result in the undersigned entering a Report and Recommendation recommending to the District Judge that this case be dismissed. Defendant Commissioner of Social Security is Ordered to file his Responsive Motion for Summary Judgment within thirty (30) days of the filing of Plaintiff's Motion.

The Clerk is directed to send a copy of this to counsel of record and a certified copy by United States Mail to Plaintiff, *pro se*.

DATED: November 12, 2010.

John S. Kaull

JOHN S. KAULL
UNITED STATES MAGISTRATE JUDGE